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ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPS

Margaret P. Grafeld, Director

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Exemption(s):

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BRUSSELS FOR USEEC ALSO

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E.O. 12065: GDS 5/30/86 (FRIEDMAN, TOWNSEND B) OR-P

TAGS: SHUM AR

SUBJ: (U) HUMAN RIGHTS SUMMARY - MAY 24-30, 1980

REF: BUENOS AIRES 4300

1. (U) THE GOVERNMENT PUBLISHED A DECREE ANNOUNCING A
CHANGE IN THE REGULATIONS GOVERNING THE CONDITIONS OF
DETENTION FOR PEN PRISONERS. THE NEW REGULATIONS WERE NOT
PUBLISHED BUT ISSUED IN A STILL CONFIDENTIAL ANNEX TO THE
DECREE. THE COVERING DECREE STATED THAT ADJUSTMENTS WERE

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BEING MADE TO ASSURE UNIFORM APPLICATION OF PRISON
REGULATIONS, INCLUDING CONSULAR ACCESS, VISITING RIGHTS,

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FOOD, EXERCISE RIGHTS, ACCESS TO READING MATERIALS, AND OPPORTUNITIES FOR WORK. THESE ITEMS ARE AMONG THE MAJOR COMPLAINTS OF PRISONERS AND THEIR FAMILIES.

2. [REDACTED] IT APPEARS TO US THAT THE DECREE AND ANNEX CONSTITUTE THE RUMORED PRISON REFORM WE REPORTED LAST WEEK. WHILE WE HAVE NOT YET SEEN THE ANNEX, A SOURCE WHO HAS STATES THAT IF ACTUALLY IMPLEMENTED THE NEW REGULATIONS WILL SUBSTANTIALLY RELIEVE THE PROBLEMS AFFECTING PEN PRISONERS. HUMAN RIGHTS SOURCES TELL US THAT THERE HAVE ALREADY REPORTEDLY BEEN SOME IMPROVEMENTS IN PRISON CONDITIONS AS A RESULT OF THE DECREE.

3. (U) DETAINEES: PRESS REPORTED THAT 15 MORE PEOPLE PURPORTEDLY BELONGING TO THE PEOPLE'S REVOLUTION ARMY (ERP) HAD BEEN ARRESTED IN SANTA FE FOR PRESUMED PARTICIPATION IN THE MURDER OF AN ARMY MAJOR IN 1975. THEIR CAPTURE FOLLOWED THE ARREST OF ERP MEMBER JUAN CARLOS VALLEJOS WHO WAS ACCUSED OF BEING ONE OF THE MEN WHO ACTUALLY SHOT THE MAJOR (REFTEL).

4. [REDACTED] COMMENT: IN THE PAST ACCUSED ERP MEMBERS WOULD SIMPLY HAVE DISAPPEARED AND THEIR LEGAL DETENTION MARKS DEFINITE PROGRESS.

5. (U) MARTINEZ DE HOZ: ECONOMY MINISTER MARTINEZ DE HOZ IS BEING RECEIVED AT HIGH LEVELS DURING HIS EUROPEAN SOJURN. ACCORDING TO PRESS REPORTS HE HAS MET WITH KING JUAN CARLOS OF SPAIN, THE PRESIDENT OF AUSTRIA, AND GISCARD D'ESTAING. THE GOA COUNTS THE MINISTER'S RECEPTION IN EUROPE AS FURTHER EVIDENCE OF PROGRESS AWAY FROM INTERNATIONAL OSTRACISM.

[REDACTED]

[REDACTED]

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6. (U) JEHOVAH'S WITNESSES: IT WAS CLARIFIED THAT THE JEHOVAH'S WITNESSES THAT WERE ARRESTED AT A MEETING IN A PRIVATE APARTMENT (REFTEL) WERE DETAINED AS A PART OF AN IDENTIFICATION CHECK AND NOT FORMALLY CHARGED. GOA JUDICIAL AUTHORITIES ANNOUNCED THAT THE POLICE CARRIED OUT THE RAID ON THEIR OWN AUTHORITY AND THAT PEOPLE CANNOT BE ARRESTED IN ARGENTINA FOR THE SIMPLE PRACTICE OF RELIGIOUS BELIEFS.

7. (U) FEDERAL JUDGE CONTINUES INVESTIGATION OF HUMAN RIGHTS ORGANIZATIONS: FEDERAL JUDGE MARTIN ANZOATEGUI WHO ORDERED THE RAIDS ON HUMAN RIGHTS ORGANIZATIONS LAST

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AUGUST, DECIDED MAY 23 TO DROP CHARGES AGAINST THE ONLY INDIVIDUAL WHO HAD BEEN FORMALLY ACCUSED. AT THE SAME TIME HOWEVER HE ANNOUNCED THAT HE WAS CONTINUING HIS INVESTIGATION OF THE THREE ORGANIZATIONS--THE PERMANENT ASSEMBLY, THE ARGENTINE LEAGUE FOR THE RIGHTS OF MAN AND THE ECUMENICAL MOVEMENT FOR HUMAN RIGHTS--ON THE GROUNDS THAT THEY HAD ENGAGED IN AN ORGANIZED EFFORT TO DEFRAUD ARGENTINE JUSTICE. THIS ACCUSATION IS ROOTED IN THE ORGANIZATIONS' USE OF PRE-PRINTED HABEAS CORPUS FORMS FOR DETAINED AND DISAPPEARED INDIVIDUALS WITH BLANKS FOR SUCH ITEMS AS NAME, PLACE OF DISAPPEARANCE, ETC.

8. [REDACTED] JUDGE ANZOATEGUI'S OPINION INCLUDES A LONG AND CHOLERIC ATTACK ON FOREIGN CRITICS OF ARGENTINA, INCLUDING THE STATE DEPARTMENT'S REPORT ON HUMAN RIGHTS IN ARGENTINA. HE FAULTS OUR REPORT NOT ONLY FOR BEING AN UNACCEPTABLE INTERFERENCE IN ARGENTINE INTERNAL AFFAIRS BUT ALSO FOR GRATUITIOUSLY ATTACKING ARGENTINE AUTHORITIES. THE JUDGE ASSERTED THE REPORT ERRS IN FACT AND INTERPRETATION, INCLUDING THE COMMENTS ABOUT THE RAID ON THE HUMAN RIGHTS ORGANIZATIONS.

9. [REDACTED] THOSE LIKE ANZOATEGUI WHO ARE DISPOSED TO REJECT [REDACTED]
[REDACTED]

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INTERNATIONAL CRITICISM OF ARGENTINA'S HUMAN RIGHTS RECORD FOUND SOLACE IN THE ANNOUNCEMENT THAT ONE OF THE INDIVIDUALS LISTED AS DISAPPEARED BY THE INTER-AMERICAN HUMAN RIGHTS COMMISSION (IAHRC) HAD SPONTANEOUSLY PRESENTED HIMSELF TO FEDERAL AUTHORITIES. THE REAPPEARANCE OF JORGE AUGOSTS ENRIQUEZ WAS WIDELY PUBLICIZED. THIS PUBLICITY CONTRASTS TO THE CONTINUED NEWSPAPER SILENCE ON THE IAHRC REPORT. WE ARE TOLD THAT NEWSPAPERS ARE UNDER STRICT INSTRUCTIONS TO MAKE NO USE OF THE REPORT WHICH IS NOW IN THE HANDS OF AT LEAST SOME EDITORS.

10. [REDACTED] COMMENT: HUMAN RIGHTS SOURCES TOLD US THAT DESPITE ANZOATEGUI'S STATEMENT THAT HE WILL INVESTIGATE THE HUMAN RIGHTS ORGANIZATIONS FURTHER, THERE IS PRESENTLY NO ON-GOING INVESTIGATORY ACTIVITY, NOR DO OUR SOURCES SEEM TO EXPECT ANY.
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